

September 16, 2009

By Fax

The Honorable Richard M. Berman  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 650  
New York, New York 10007

**MEMO ENDORSED**

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| USDC SDNY            |
| DOCUMENT             |
| ELECTRONICALLY FILED |
| DOC #:               |
| DATE FILED: 09/16/09 |

Re: *United States vs. Aafia Siddiqui*  
08 Cr. 826 (RMB)

Dear Judge Berman:

We represent defendant Aafia Siddiqui (hereafter Dr. Siddiqui) in the above-captioned proceeding. We write to advise the Court of the status of negotiations between the government, the Bureau of Prison and defense counsel as per the Court's order dated September 14, 2009.

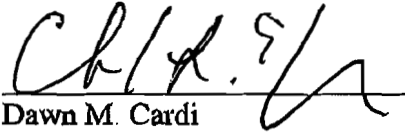
As the Court is aware from a letter that the government addressed to the Honorable Richard M. Berman dated September 14, 2009, the government has proposed a possible solution to the issue of strip searches associated with attorney-client visits with Dr. Siddiqui at the Metropolitan Detention Center ("MDC") that was one the issues addressed in defense counsel's recently filed pretrial motions. As the Court is also aware from a letter that we addressed to the government dated September 14, 2009, we have various concerns about the feasibility of this proposal. It is defense counsel's view that the seriousness of these concerns cannot be accurately assessed unless and until we have had the opportunity to try what the government proposes. We are in the process of arranging a visit by Elaine Sharp pursuant to the procedure proposed by the government; Ms. Sharp has the closest relationship with Dr. Siddiqui. As she is currently on trial, she believes that it may take as long as next Wednesday to effect this visit. In light of our need to test the procedure offered by the government, we respectfully request that the branch of Dr. Siddiqui's pretrial motion that addressed the issue of strip searches associated with attorney-client visits with Dr. Siddiqui at MDC be held at abeyance until we have had the opportunity to assess the procedure's feasibility through Ms. Sharp's imminent visit.

We have conferred with the government and they have consented to our proposal. We understand that the government will be writing the Court separately to indicate that we have conferred in the manner described above. We write separately to assure the Court that we are coordinating a visit to test the proposed procedure as quickly as possible.

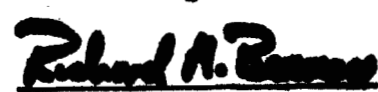
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We thank the Court for its consideration of this matter.

Respectfully submitted,



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I'm not sure I need a running  
commentary on counsel's "negotiations".  
But since you have opted for this  
detailed back + forth, my response is:  
(i) counsel should have been able to work  
this out by now (ii) I would have thought  
counsel (of which there are 4) would have  
SO ORDERED:  
Date: 9/16/09   
Richard M. Berman, U.S.D.J.

Visited Dr. Siddiqui + ADC by now. The  
letters demonstrate for more agree-  
ment on the issue raised than not.

/s/  
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/s/  
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cc: Christopher LaVigne (by fax)  
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